

FILED '06 MAR 23 16:10 USDC-DRP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PLUMBERS & PIPEFITTERS NATIONAL
PENSION FUND, ET AL.,

Plaintiffs,

V.

TROUBLE FREE PLUMBING COMPANY,

Defendant.

Civil No. 03-1168-JO

OPINION AND ORDER

Cary R. Cadonau
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JONES, Judge:

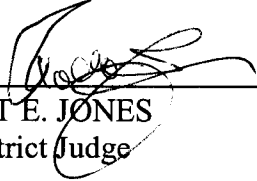
Plaintiffs bring this action to enforce an agreement by defendant to pay fringe benefit contributions and union dues on behalf of defendant's employees who perform work covered by a Master Labor Agreement between plaintiffs and defendant.

The case is before the court on plaintiffs' motion for summary judgment (# 48). After several extensions of time for defendant to file its response, on March 15, 2006, defendant filed a response to plaintiffs' concise statement of material facts in which defendant admits all facts, including facts establishing both liability and damages. Defendant has not filed a memorandum in opposition to summary judgment, and I construe defendant's response as conceding the motion. Accordingly, plaintiffs' motion for summary judgment is granted in full. Plaintiffs are entitled to recover the amounts stated in their concise statement and supported by their submissions; specifically, \$98,389.21 in fringe benefit contributions and union dues, liquidated damages, and interest; and \$3,179.46 as the cost of conducting the payroll examination of defendant's books and records. Additionally, plaintiffs are entitled to recover their reasonable attorney fees and costs.

CONCLUSION

Plaintiffs' motion for summary judgment (# 48) is GRANTED as stated in this Order. This action is dismissed.

DATED this 23rd day of March, 2006.



ROBERT E. JONES
U.S. District Judge